

**ONE HUNDRED AND SIXTH LEGISLATIVE DAY
MONDAY, APRIL 21, 2003**

House of Representatives

The House convened at 10:45 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused -- Sali. Total -- 1.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jonathan Sater, Page.

Approval of Journal

April 21, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Third Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Mike Naccarato, State Representative, District 7, House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Dale Alldredge, of Lewiston, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Dale Alldredge, Acting State Representative, District 7, House Seat B, State of Idaho, for a term commencing on April 21, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 17th day of April in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ BEN YSURSA

Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Alldredge.

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Jack Barraclough, State Representative, District 33, House Seat A, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Donald W. Schanz, of Idaho Falls, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Donald W. Schanz, Acting State Representative, District 33, House Seat B, State of Idaho, for a term commencing on April 21, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 18th day of April in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ BEN YSURSA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Schanz.

April 18, 2003

Mr. Speaker:

I return herewith enrolled **H 394, HCR 22, H 400**, as amended in the Senate, and **H 374**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 394, H 400**, as amended in the Senate, and **H 374**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HCR 22** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

April 18, 2003

Mr. Speaker:

I transmit herewith **S 1187**, **S 1188**, and **S 1189** which have passed the Senate.

WOOD, Secretary

S 1187, **S 1188**, and **S 1189** were filed for first reading.

Report of Standing Committees

April 18, 2003

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1176** and recommend that it do pass.

SCHAEFER, Chairman

S 1176 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1187, **S 1188**, and **S 1189**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1181, **S 1182**, **S 1183**, **S 1184**, **S 1185**, and **S 1186**, by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mrs. Bell asked unanimous consent that **H 420** be returned to the Appropriations Committee. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that **HCR 31** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

HCR 31 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **HCR 31** be adopted?"

Roll call resulted as follows:

AYES -- Barraclough(Schanz), Barrett, Bauer, Bedke, Bell,

Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Harwood, Henbest, Jaquet, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Moyle, Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo(Cooke), Roberts, Saylor, Schaefer, Shepherd, Shirley, Smylie, Stevenson, Tilman, Trail(Young), Wills, Wood, Mr. Speaker. Total -- 53.

NAYS -- Andersen, Clark, Cuddy, Gagner, Garrett, Jones, Kellogg, Miller, Mitchell, Naccarato(Alldredge), Robison, Rydalch, Skippen, Smith(30), Smith(24), Snodgrass. Total -- 16.

Absent and excused -- Sali. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **HCR 31** adopted and ordered the resolution transmitted to the Senate.

Mr. Denney asked unanimous consent that **HJM 12** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

HJM 12 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **HJM 12** be adopted?"

Whereupon the Speaker declared **HJM 12** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Denney asked unanimous consent that **H 422** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 422 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Harwood to open debate.

The question being, "Shall **H 422** pass?"

Roll call resulted as follows:

AYES -- Andersen, Bauer, Bedke, Bell, Bieter, Black, Block, Boe, Bolz, Bradford(Larsen), Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato(Alldredge), Nielsen, Raybould, Ridinger, Ring(Roberge), Ringo(Cooke), Roberts, Robison, Rydalch, Saylor, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail(Young), Wills, Mr. Speaker. Total -- 62.

NAYS -- Barraclough(Schanz), Barrett, Eberle, Kulczyk, McKague, Sali, Tilman, Wood. Total -- 8.

Paired Vote:

AYE -- Bedke. NAY -- Sali.
(Pair enumerated in roll call above.)
Total -- 70.

Whereupon the Speaker declared **H 422** passed the House.
Title was approved and the bill was ordered transmitted to the
Senate.

Mr. Denney asked unanimous consent that the remaining bills
on the Third Reading Calendar retain their places for one
Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the
Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:45 a.m.,
Tuesday, April 22, 2003. Seconded by Ms. Jaquet. Motion
carried.

Whereupon the Speaker declared the House adjourned at
11:45 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk